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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
AUGUSTINE, NICHOLAS	

  

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2179	

  

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/676,811	<b>Applicant(s)</b> CHADZELEK ET AL.	
	<b>Examiner</b> Nicholas Augustine	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 27 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/27/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

- A. In response to the following communications: Amendment filed 03/27/2007. This action is made **FINAL**.
- B. Claims 1-15 remains pending. Claims 1,4,7,10 and 13 are amended.

### ***Specification***

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: There is no mention of "computer-readable storage medium" lacks antecedent basis. There is a mention of "machine readable storage", but the term "computer-readable storage medium" is not found in the specification.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 7-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter) as claimed in claims 7-12 "computer product" is software per se wherein a "computer product" (falls under logic,

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abstract ideas) is not included in one of the statutory categories of invention, more information about this matter is covered in the Annex IV of the Interim Guidelines for Subject matter Eligibility. Claiming to a computer readable medium recorded thereon a computer product or something to that nature where the claim needs to be claiming to the computer readable medium and not a computer product. The following link on the World Wide Web is for the United States Patent And Trademark office (USPTO) policy on 35 U.S.C. §101

[http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101\\_20051026.pdf](http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf)

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3,7-9 and 13-15 rejected under 35 U.S.C. 102(b) as being anticipated by Karp et al ("Windows XP in a Nutshell" – 4/2002):

*Note: Supplemental screen captures are included with the resulting functions and action as taught by Karp.*

**As for independent claims 1,7 and 13**, Karp teaches a method for navigating user interface elements, the method and corresponding computer program product and system comprising: grouping user interface elements of a user interface of a computer program application into groups based on a hierarchical arrangement of the user interface elements, the hierarchical arrangement allowing for sibling groups and parent groups; and detecting a navigation key press of a sibling navigation key having a first group identifier and a parent navigation key having a second group identifier, and if the navigation key is the sibling navigation key, shifting input focus to a next sibling group in the hierarchy, and if the navigation key is the parent navigation key, shifting input focus to a parent group in the hierarchy (pg.557,par.2; pg.559 (Alt-Tab(+Tab)); pg.558 (Alt-x); and screen captures figures 2-3. As seen in figure two when the user presses ALT on the keyboard this navigation control corresponds to the first group of control elements as indicated by under scoring letters of controls (file, edit, insert, format, tools, window, help) therefore the ALT key is correlated with a group identifier to relate to the group of controls. The ALT key being that of the parent navigation control where ALT is combined with a letter (X) that corresponds to a control UI element. A sibling navigation key being an arrow key on the keyboard to navigation control UI elements inside of a group of controls. The second group identifier is defined when the user selects a parent control from the parent group, for example when the user presses the key combination ALT+T it is identified with the control group that consist of the control elements (Spelling and grammar, language, word count, auto summarize, etc...) thus making a group identifier as indicated by the figure and explained by Karp (pages 557-558). So in

summarization Karp teaches of navigational controls wherein parent navigational controls when activated are identified as having a group of sibling control UI elements and sibling navigational controls, which are identified by the parent navigational control groups. Thus therefore when the user activates a parent control to display sibling control group the group identification is evident or else a random menu or crossed menus (file control is activated and tools sibling group is displayed) would be displayed if there were not any identification means included.).

As for dependent claims 2,3,8,9,14 and 15, Karp teaches the method of claim 1, further comprising: creating one or more hierarchical tab chains to contain all user interface controls currently displayed by the application, wherein each user interface control is contained in a container (Windows XP places graphical user interface elements in containers; derived from page 37), all user interface controls are arranged in a tab chain hierarchy according to an arrangement of the containers that contain the controls, each container is represented as a node in the tab chain hierarchy, and a separate tab chain is created for each container (screen captures, figure 2); creating a new view creates a view container that contains all the user interface controls for the new view (when the user activates the control keystroke the graphical user interface element display panel is activated from the operating system as shown in figure 2); and the hierarchical tab chain for the new view is added to the existing tab chain by adding a new node for the new view container in the existing hierarchical tab chain (when the user opens a new application an icon indicative to the corresponding application is added to figure 2

display element).

6. Claims 4-6 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Excel 2002 version 3.0.6926 SP-3).

**As for independent claims 4 and 10,** Microsoft teaches a computer implemented method for navigating editable cells of a table, the method comprising: detecting a navigation key press of a forward navigation key having a first group identifier or a backward navigation key having a second group identifier; if the navigation key is the forward navigation key, shifting input focus to a next editable cell of the table; and if the navigation key is the backward navigation key, shifting input focus to a previous editable cell of the table (fig.3; wherein the user presses keyboard keys to navigate through editable cells. As seen in figure two when the user presses ALT on the keyboard this navigation control corresponds to the first group of control elements as indicated by under scoring letters of controls (file, edit, insert, format, tools, window, help) therefore the ALT key is correlated with a group identifier to relate to the group of controls. The ALT key being that of the parent navigation control where ALT is combined with a letter (X) that corresponds to a control UI element. A sibling navigation key being an arrow key on the keyboard to navigation control UI elements inside of a group of controls. The second group identifier is defined when the user selects a parent control from the parent group, for example when the user presses the key combination ALT+T it is identified with the control group that consist of the control elements (Spelling and grammar,

language, word count, auto summarize, etc...) thus making a group identifier as indicated by the figure and explained by Karp (pages 557-558). So in summarization Karp teaches of navigational controls wherein parent navigational controls when activated are identified as having a group of sibling control UI elements and sibling navigational controls, which are identified by the parent navigational control groups. Thus therefore when the user activates a parent control to display sibling control group the group identification is evident or else a random menu or crossed menus (file control is activated and tools sibling group is displayed) would be displayed if there were not any identification means included.).

As for dependent claims 5,6,11 and 12, Microsoft teaches the method of claim 4, further comprising: switching the editable cell to the edit mode, if a switch-cell-mode key is pressed while an editable cell currently having input focus is not in an edit mode; wherein user input modifies content of the editable cell, if the editable cell is in the edit mode; switching the editable cell to a focus mode, in which the content of the editable cell cannot be modified, if a switch-cell-mode key is pressed while the editable cell currently having input focus is in the edit mode (fig.4; wherein the user selects the editable cell and presses the locked option to make the cell non-editable).

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Response to Arguments***

Applicant's arguments filed 3/27/2007 have been fully considered but they are not persuasive.

- *Applicant argues that Karp does not teach detecting a navigation key press of a sibling navigation key having a first group identifier and a parent navigation key having a second group identifier.*
- Examiner does not agree, Karp does teach a first and second group identifier. Wherein the first group identifier of a sibling as identified in the figures as when the user presses the navigation key(s) the group UI control elements are displayed according to the parents group as indicated in figures. For example by looking at the provided figure 2 of the Microsoft Windows XP screen captures. As seen in figure two when the user presses ALT on the keyboard this navigation control corresponds to the first group of control elements as indicated by under scoring letters of controls (file, edit, insert, format, tools, window, help) therefore the ALT key is correlated with a group identifier to relate to the group of controls. The ALT key being that of the parent navigation control where ALT is combined with a letter (X) that corresponds to a control UI element. A sibling navigation key being an arrow key on the keyboard to navigation control UI elements inside of a group of controls. The second group identifier is defined when the user selects a parent control from the

parent group, for example when the user presses the key combination ALT+T it is identified with the control group that consist of the control elements (Spelling and grammar, language, word count, auto summarize, etc...) thus making a group identifier as indicated by the figure and explained by Karp (pages 557-558). So in summarization Karp teaches of navigational controls wherein parent navigational controls when activated are identified as having a group of sibling control UI elements and sibling navigational controls, which are identified by the parent navigational control groups. Thus therefore when the user activates a parent control to display sibling control group the group identification is evident or else a random menu or crossed menus (file control is activated and tools sibling group is displayed) would be displayed if there were not any identification means included.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Nicholas Augustine  
Examiner  
AU: 2179

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June 11, 2007



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**SUPERVISORY PATENT EXAMINER**